

REMARKS

Applicants respectfully request consideration of the application in view of the foregoing amendments and the following remarks.

The Specification has been amended to update status information for priority application 60/538,799 and to indicate that this application is a §371 National Stage Application of PCT/EP2005/000558.

Claims 5, 7, 9-21, 23-29, 31-34, and 36-41 are canceled herein without prejudice to pursuing the subject matter of said claims in a later filed divisional application(s).

Claim 1 is amended herein to claim a replication-defective chimpanzee adenovirus vector which is at least partially devoid of E1 and devoid of E1 activity. Support for the amendment can be found, *inter alia*, in the Specification on page 16, lines 9-24.

Claim 2 is amended herein to remove part (b) of the claim, which species fiber sequences, which are now described in amended claim 3. Support for the amendments to claims 2 and 3 can be found, *inter alia*, in original claim 2.

Claim 4 is amended herein to indicate that the replication defective ChAd vector is at least partially devoid of E1 and devoid of E1 activity. Support for the amendment can be found, *inter alia*, in the Specification on page 16, lines 9-24.

Claims 6, 22, and 30 are amended herein to change their dependencies.

Claim 8 is amended herein to indicate that the transgene is operatively linked to a promoter capable of directing its expression. Support for the amendment can be found, *inter alia*, in original claim 5.

Claim 22 is amended herein to depend from new claim 46.

Claim 35 is amended herein to specify the serotype of the adenovirus from which the ChAd vector is derived. Support for this amendment can be found, *inter alia*, in original claim 31.

New claims 42-50 are added. Support for the new claims can be found, *inter alia*, in original claims 1,5,16, and 17. No new matter has been added by the amendments herein.

Sequence Rules

In accordance with 37 CFR §§ 1.821 to 1.825, a substitute Sequence Listing and corresponding substitute computer readable form are provided herein to correct errors specified on the Notification of Missing Requirements. Specifically, the “n’s” present in nucleotide sequences set forth in SEQ ID NOs: 3 and 24 have been defined as “n = A, T, C, or G.” Further, the Xaa’s present in SEQ ID NO:125 have been changed to Asn at position 826 and Leu at

position 922. The correct sequence for SEQ ID NO:125 was present in the priority application in Figure 31. Therefore, the correction to the Sequence Listing submitted herewith adds no new matter.

Oath or Declaration of the Inventors

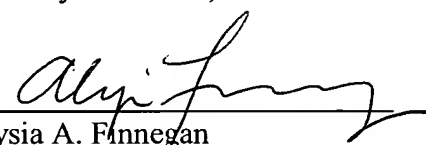
In response to the Notification of Missing Requirements under 35 U.S.C. 371, provided herewith is a declaration of the inventors in compliance with 37 C.F.R. §1.497 (a) and (b). The declaration is signed by inventors Agostino Cirillo, Stefano Colloca, Bruno Bruni Ercole, Annalisa Meola, and Alfredo Nicosia. The declaration is also signed by Mr. Paolo Palozzolo, executor of the estate of deceased inventor Elizabeta Sporeno, on her behalf.

Summary

Applicants respectfully submit that all claims are in condition for allowance and a favorable action on the merits is earnestly solicited.

If the Examiner believes that a telephone conference would be of value, he is requested to call the undersigned attorney at the number listed below.

Respectfully submitted,

By 
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